



**DEPARTMENT OF PERSONNEL**

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**MEMO PERD #3/00**

February 18, 2000

TO: Agency Personnel Liaisons  
Agency Personnel Representatives  
Agency Payroll Clerks

FROM: Jeanne Greene, Director  
Department of Personnel

SUBJECT: ANNUAL AND SICK LEAVE FOR PERSONS REEMPLOYED

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There have been a lot of questions recently regarding the status of annual and sick leave for EICON employees who are reemployed in the Executive Branch on or after January 1, 2000. This memorandum is intended to provide clarification so that employees are treated consistently and within the parameters of the law.

All employees of EICON were considered layoffs from the Executive Branch of State government effective December 31, 1999. Because annual and sick leave were not addressed in SB37, the following Nevada Administrative Code (NAC) regulations dealing with leave apply to EICON employees re-entering the State system through the reemployment process.

**Annual Leave**

NAC 284.5395 provides that upon separation from State service, an employee must be paid a lump sum payment for any unused annual leave he has accrued through the last day worked.

NAC 284.5405, 4, allows an employee who is rehired within one year after being laid off to buy back the balance of the annual leave for which he received payment on the date of the layoff.

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As such, an EICON employee who is reemployed before December 31, 2000, is eligible to buy back the annual leave balance for which he was paid based on the balance accrued through December 31, 1999.

Sick Leave

NAC 284.551 indicates an employee who is reemployed within one year is entitled to the restoration of any accrued and unused sick leave remaining in his account at the time of his layoff.

Therefore, sick leave balances as of December 31, 1999, will be restored to employees who are reemployed in the Executive Branch by December 31, 2000. It should be noted, however, that some employees were paid off for their sick leave on December 31, 1999, in accordance with NRS 284.355. Those employees would be considered to have a sick leave balance of zero hours.

I hope this clarifies the issues of annual and sick leave as they pertain to EICON employees. If you have any questions regarding these issues, please contact Mary Ellen Komac at (775) 684-0103 in the North, or Greg Febbo at (702)486-2902 in the South.

JG:cp

cc: Caleb Mills, Human Resources Director, EICON